

1111.05 SUBDIVISIONS.

Any subdivision of land or replat of an existing subdivision that does not meet the applicability requirements of a Minor Subdivision in Section 1111.04 shall be subject to the requirements of this section.

(a) Preliminary Plat.

- (1) Preapplication Meeting Required. The applicant shall meet with the Planning Commission or its designated representative prior to submitting the preliminary plat. The purpose of this meeting is to discuss early and informally the requirements of this Code and the criteria and standards contained therein; and to familiarize the applicant with the Comprehensive Plan, and any other plans of the City that impact the development.
- (2) Preapplication Sketch. The applicant shall submit to the Planning Commission a sketch plan legibly drawn at a suitable scale and containing the following information:
 - A. The proposed subdivision in relation to existing community facilities, thoroughfares and other transportation modes, shopping centers, manufacturing establishments, residential developments and existing natural and man-made features such as soil types, vegetation, contours and utilities in the neighboring area.
 - B. The layout and acreage of streets, lots and any nonresidential sites such as commercial, manufacturing, school or recreational uses within the proposed subdivision.
 - C. The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources for water and public facilities for the disposal of sewage and storm water.
 - D. The scale and title of the subdivision, a north arrow and the date.
 - E. Name, address and phone number of owners and developer.
- (3) Preliminary Plat Form and Contents. The preliminary plat shall be drawn at a scale not less than 100 feet to the inch and shall be on one or more sheets eighteen by thirty inches in size. In addition to the information required by the General Application Requirements set forth in Section 1111.03, the preliminary plat shall contain the following information:
 - A. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the 44077 zip code;
 - B. Boundaries of the subdivision and its acreage;
 - C. Names of adjacent subdivisions, owners of adjoining parcels of unsubdivided land and the location of their boundary lines;
 - D. Existing contours at an interval of not greater than two feet if the slope of the ground is fifteen percent (15%) or less; and not greater than five feet where the slope is more than fifteen percent (15%);
 - E. Location, names and widths of proposed streets and easements;
 - F. Location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system;

- G. Layout, numbers and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety degree angles, the width at the building setback shall be shown;
 - H. Parcels of land in acres to be reserved for public use, or used as a buffer, or to be reserved by covenant for residents of the subdivision; and
 - I. A vicinity map at a scale of not less than 2,000 feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads and tract lines and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring areas.
 - J. Description of proposed covenants and restrictions.
- (4) Application. Upon determination that the application is complete and payment of the required fee is made, the Administrator shall transmit copies of the application for review by applicable agencies or departments including, but not limited to, the City Engineer, the Health Department and any other agencies having authority over streets, water, sewer, gas, or other utilities and other public improvements. Such agencies or departments may supply comments, recommendations, and approvals as applicable, to the Administrator for transmittal to the Planning Commission. The preliminary plat shall be considered filed on the day it is stamped received by the Planning Commission secretary and shall be so dated.
- (5) Notice to the Director of the Ohio Department of Transportation. Before any plat is approved affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation (Director) and on any plat affecting land within a radius of 500 feet from the point of intersection of the centerline with any public road or highway, the Planning Commission shall give notice, by registered or certified mail to the Director. The Commission shall not approve the plat for 120 days from the date the notice is received by the Director. If the Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the 120-day period or any extension thereof agreed upon by the Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of this Code, approve the plat.
- (6) Approval of Preliminary Plat.
- A. The Planning Commission on its own initiative or upon petition by a resident or neighboring property owner may, prior to acting on a preliminary plat of a subdivision, hold a public hearing in accordance with the procedures set forth in Section 1111.02.
 - B. Upon review of the preliminary plat and receipt of reports from applicable officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications or disapproved.
 - C. If the plat is disapproved, the reasons for such disapproval shall be stated in writing.

- D. The Planning Commission shall act on the preliminary plat within sixty days after filing unless such time is extended by agreement with the applicant.
- E. When a preliminary plat has been approved by the Planning Commission it shall then go to Council for approval. If it is approved, one copy shall be signed and returned to the applicant for compliance with final approval requirements.
- F. Approval of the preliminary plat does not constitute approval of the subdivision, but is merely an authorization to proceed with the preparation of the final plat and improvement drawings.
- G. The approval of the preliminary plat shall be effective for a maximum period of twelve months and shall guarantee that the terms under which the approval was granted will not be affected by changes to this Code.

(b) Final Plat.

- (1) Conformance with Preliminary Plat Required. The applicant, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat and related improvement drawings of the subdivision. The final plat shall have incorporated all changes in the preliminary plat required by the City. Otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the applicant proposes to record and develop at the time.
- (2) Final Plat Form and Contents. The final plat shall be submitted in a digital format acceptable to the City and on reproducible mylar at a scale not less than 100 feet to the inch, and shall be on one or more sheets eighteen by thirty inches in size. If more than one sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. In addition to the information required by the General Application Requirements set forth in Section 1111.03, the final plat shall contain the following information:
 - A. Name of the subdivision.
 - B. Plat boundaries, based on accurate traverse, with angular and lineal dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one in 10,000.
 - C. Bearings and distances to nearest established street lines or other recognized permanent monuments.
 - D. Radii, internal angles, points of curvature, tangent bearings, lengths or arcs and lengths and bearings of chords of all applicable streets within the plat area.
 - E. All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.
 - F. Accurate location and description of all monuments.
 - G. Accurate outlines of areas to be dedicated or reserved for public use, or used as a buffer, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
 - H. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.

- I. Notarized certification by the owner or owners of the adoption of the plat and the dedication of streets and other public areas.
 - J. Typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivisions.
 - K. The location of and a description of all monuments and pins as specified in Section 1137.11.
 - L. Grading plan showing existing and proposed grades at the corner of each lot.
- (3) Supplementary Information. Unless Council has accepted a petition in the form described in Section 1137.10 from the applicant for the construction of such improvements, certification shall be required showing that:
- A. Either all required improvements have been installed and approved by the proper officials or agencies, or that bonds or other approved sureties have been furnished assuring installation of the required improvements; and
 - B. The maintenance bond required by Section 1137.11 has been posted.
- (4) Regulations Governing Improvements. The final plat drawings shall be prepared by a registered surveyor, and specifications of improvements shall be a set of construction and utility plans prepared by a registered professional engineer in accordance with the following:
- A. Plans shall include typical sections, plans and profile views, construction details and estimates and quantities. All typical sections and major engineering details to be used on any particular street shall be approved in advance by the City Engineer before completion of the plans.
 - B. Prior to granting approval of the final plat, unless the applicant has submitted, and Council has accepted, a petition described in Section 1137.10 the applicant shall have installed all essential improvements with the sole exception of those improvements that may be damaged in the course of construction, as determined by the City Manager. The latter improvements shall be covered by a surety or certified check for the amount of the City Engineer's estimate of the construction cost of such improvements.
 - C. A maintenance bond having a term of three years and relating to any improvements completed by the applicant shall be posted before the final plat is approved. The bond term shall commence upon one hundred percent (100%) completion of all improvements.
 - D. The City Manager may, where conditions warrant it, require a restoration bond. Said bond shall be to insure the repair of any damage done to existing curbs, gutters, sidewalks, driveways, street pavement, landscaping or other items within the right-of-way adjacent to or used as a haul road for a subdivision. The amount of said bond shall be as determined by the City Engineer's estimate of potential damage. Restoration bonds shall be released when all damaged facilities, if any, have been restored to the satisfaction of the City Engineer. The applicant shall be responsible for documenting the condition of existing infrastructure conditions prior to the installation of improvements.

- (5) Filing. The final plat shall be filed with the Planning Commission not later than twelve months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the applicant and granted in writing by the Planning Commission.
- (6) Approval of Final Plat.
 - A. The Planning Commission shall approve or disapprove the final plat within ninety days after it has been filed. Failure of the Commission to act upon the final plat within such time shall be deemed as Planning Commission approval of the plat.
 - B. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission, and a copy of the record shall be forwarded to the applicant.
 - C. The Commission shall not disapprove the final plat if the applicant has met the requirements of this Code and has proceeded in accordance with the approved preliminary plat.
 - D. If disapproved the applicant shall make the necessary corrections and resubmit the final plat within thirty days to the Commission for its approval.
 - E. If a plat is refused by the Commission, the applicant may file a petition within ten days after such refusal in the Court of Common Pleas of Lake County to reconsider the action of the Commission.
 - F. When a subdivision is constructed in phases, final plat approval may be granted for each phase. The combination of phased plats shall conform to the Preliminary Plat except where changes have been approved by the Planning Commission.
- (7) Transmittal of Copies. When the final plat has been approved by the Planning Commission, the approved plat shall be returned to the applicant, for filing with the County Recorder after all necessary certifications are received.
- (8) Required Statements. No plat of any subdivision shall be recorded by the County Recorder until all required signatures and statements have been placed on the final plat. The text of such required statements shall be approved as to form by the Law Director and provided to the applicant by the Community Development Department.
- (9) Recording of Plat. No plat of any subdivision shall be recorded by the County Recorder or have any validity until the plat has received final approval in the manner prescribed in this Code.
- (10) Revision of Plat After Approval. No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission and endorsed in writing on the plat, unless the plat is first resubmitted to the Commission
- (11) Sale of Land Within Subdivisions. No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of or by the use of a plat of the subdivision before the plat has been approved and recorded in the manner prescribed in this Code. The description of the lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these Regulations.